

## Appendices

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### Appendix A: ACT 108 – Special CWD Legislation

#### Act 108

May 2002 Special Session

Senate Bill 1

Date of enactment: May 18, 2002

Date of publication\*: May 20, 2002

#### 2001 WISCONSIN ACT 108

AN ACT to repeal 29.181 (3) and 29.559 (1r) (b); to renumber 29.307 and 29.559 (1r) (a); to amend 20.370 (5) (fq), 29.971 (7), 29.971 (11), 95.32 (1) and 167.31 (2) (d); and to create 20.370 (5) (fs), 20.370 (5) (fv), 29.063, 29.307 (2), 29.307 (3), 29.335, 95.23 (1m), 167.31 (1) (bg), 167.31 (1) (bn), 167.31 (1) (dm) and 167.31 (4) (bg) of the statutes; relating to: chronic wasting disease, hunting or shooting animals from aircraft, vehicles, and boats, feeding of wild animals for purposes other than hunting, shooting a firearm or arrow from or across a highway, shooting by certain persons from a tractor or implement of husbandry, requiring a lapse to the general fund, authorizing the extension of emergency rules, requiring the exercise of rule-making authority, and making appropriations. The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

#### 01 Wis. Act 108, s. 1

Section 1. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

2001-02 2002-03

20.370 Natural resources, Department of

(5) Conservation aids

(fs) Chronic wasting disease management

SEG

A

-0-

2,000,100

(fv) Chronic wasting disease management -- supplemental funds

SEG

A

-0-

-0-

#### 01 Wis. Act 108, s. 2

Section 2. 20.370 (5) (fq) of the statutes is amended to read:

20.370 (5) (fq) Wildlife damage claims and abatement. All moneys received under ss. 29.181 (3), 29.559 (1r) (b), and 29.563 (13) and not appropriated under par. pars. (fr), (fs), and (fv) and sub. (1) (Ls) to provide state aid for the wildlife damage abatement program under s. 29.889 (5) (c) and the wildlife damage claim program under s. 29.889 (7) (d), for county administration costs under s. 29.889 (2) (d), and for payments under s. 29.89.

#### 01 Wis. Act 108, s. 3

Section 3. 20.370 (5) (fs) of the statutes is created to read:

20.370 (5) (fs) Chronic wasting disease management. From the moneys received under ss. 29.181, 29.559 (1r), and 29.563 (13), the amounts in the schedule for the management of, and testing for, chronic wasting disease under s. 29.063 (1).

#### 01 Wis. Act 108, s. 4

Section 4. 20.370 (5) (fv) of the statutes is created to read:

20.370 (5) (fv) Chronic wasting disease management -- supplemental funds. The amounts in the schedule for the management of, and testing for, chronic wasting disease under s. 29.063 (1).

#### 01 Wis. Act 108, s. 5

Section 5. 29.063 of the statutes is created to read:

29.063 Management of chronic wasting disease. (1) The Department may manage, and provide funding to conduct testing for, chronic wasting disease in cervids.

(2) If the Department designates an area as a chronic wasting disease Eradication Zone, the Department shall provide notice and information to the public that is adequate to inform the public prior to the commencement of hunting that hunting of cervids to control the spread of the disease will occur in that zone.

#### 01 Wis. Act 108, s. 6

Section 6. 29.181 (3) of the statutes is repealed.

01 Wis. Act 108, s. 7

Section 7. 29.307 of the statutes is renumbered 29.307 (1).

01 Wis. Act 108, s. 8

Section 8. 29.307 (2) of the statutes is created to read:

29.307 (2) (a) Notwithstanding sub. (1), a state employee or agent or a federal employee or agent acting within the scope of his or her employment or agency may hunt an animal in the wild with the aid of an aircraft if all of the following apply:

1. The employee or agent is authorized by the Department to take the animal for the purpose of controlling the spread of disease in animals.

2. The employee or agent is hunting in an area designated by the Department as a chronic wasting disease Eradication Zone.

3. The employee or agent is in compliance with all of the rules promulgated under par. (b).

(b) The Department shall promulgate rules specifying the conditions under which aircraft may be used for surveillance of animals, for herding animals, and for shooting animals in order to control the spread of disease in animals. The rules may authorize shooting animals only if the Department considers all other alternatives to shooting animals from aircraft and determines that the shooting is necessary in order to control the spread of disease in animals.

01 Wis. Act 108, s. 9

Section 9. 29.307 (3) of the statutes is created to read:

29.307 (3) Subsection (2) and the rules promulgated under sub. (2) do not apply after June 30, 2004.

01 Wis. Act 108, s. 10

Section 10. 29.335 of the statutes is created to read:

29.335 Feeding wild animals for nonhunting purposes. The Department shall promulgate rules to regulate the recreational and supplemental feeding of wild animals for purposes other than hunting. The rules promulgated under this section do not apply after June 30, 2004.

01 Wis. Act 108, s. 11

Section 11. 29.559 (1r) (a) of the statutes is renumbered 29.559 (1r).

01 Wis. Act 108, s. 12

Section 12. 29.559 (1r) (b) of the statutes is repealed.

01 Wis. Act 108, s. 13

Section 13. 29.971 (7) of the statutes is amended to read:

29.971 (7) For the violation of s. 29.307 (1), by a fine of not more than \$1,000 for the first violation and not more than \$2,000 for subsequent violations or imprisonment for not more than 90 days, or both, and by a mandatory 3-year revocation of all hunting, fishing, and trapping approvals. An aircraft used in the violation is a public nuisance.

01 Wis. Act 108, s. 14

Section 14. 29.971 (11) of the statutes is amended to read:

29.971 (11) For hunting deer without the required approval, during the closed season, with the aid of artificial light or with the aid of an aircraft, except as provided in s. 29.307 (2), for the snaring of or setting snares for deer, or for the possession or control of a deer carcass in violation of s. 29.055 or 29.347, by a fine of not less than \$1,000 nor more than \$2,000 or by imprisonment for not more than 6 months or both. In addition, the court shall order the revocation of all approvals issued to the person under this chapter and shall prohibit the issuance of any new approval under this chapter to the person for three years.

01 Wis. Act 108, s. 15

Section 15. 95.23 (1m) of the statutes is created to read:

95.23 (1m) (a) The Department may conduct surveillance testing to determine whether animals have chronic wasting disease, if the Department has reason to believe that the animals have been exposed to chronic wasting disease.

(b) The Department shall indemnify the owner of an animal that must be killed in order to conduct testing under par. (a), if funds are available from the appropriation under s. 20.115 (2) (m) or (8) (ks) to pay the indemnity, in

an amount equal to two-thirds of the difference between the net salvage value and the appraised value of the animal but not more than \$1,500 for one animal.

01 Wis. Act 108, s. 16

Section 16. 95.32 (1) of the statutes is amended to read:

95.32 (1) The Department shall determine the appraised value of an animal that is destroyed under s. 95.21 (4) (b), 95.23 (1m), 95.25, 95.26, 95.27 or 95.31 (3) or (4) if the animal's owner is eligible for an indemnity.

01 Wis. Act 108, s. 16c

Section 16c. 167.31 (1) (bg) of the statutes is created to read:

167.31 (1) (bg) "Family member of the landowner" means a person who is related to the landowner as a parent, child, spouse, or sibling.

01 Wis. Act 108, s. 16f

Section 16f. 167.31 (1) (bn) of the statutes is created to read:

167.31 (1) (bn) "Farm tractor" has the meaning given in s. 340.01 (16).

01 Wis. Act 108, s. 16j

Section 16j. 167.31 (1) (dm) of the statutes is created to read:

167.31 (1) (dm) "Implement of husbandry" has the meaning given in s. 340.01 (24).

01 Wis. Act 108, s. 17

Section 17. 167.31 (2) (d) of the statutes, as affected by 2001 Wisconsin Act 8, is amended to read:

167.31 (2) (d) Except as provided in sub. (4) (a), (bg), (cg), (e), and (g), no person may discharge a firearm or shoot a bolt or an arrow from a bow or crossbow from or across a highway or within 50 feet of the center of a roadway.

01 Wis. Act 108, s. 18

Section 18. 167.31 (4) (bg) of the statutes is created to read:

167.31 (4) (bg) 1. Subsection (2) (a), (b), (c), and (d) does not apply to a state employee or agent, or to a federal employee or agent, who is acting within the scope of his or her employment or agency, who is authorized by the Department of natural resources to take animals in the wild for the purpose of controlling the spread of disease in animals and who is hunting in an area designated by the Department of natural resources as a chronic wasting disease Eradication Zone, except that this subdivision does not authorize the discharge of a firearm or the shooting of a bolt or arrow from a bow or crossbow across a state trunk highway, county trunk highway, or paved town highway.

1g. Subsection (2) (b) and (c) does not apply to a landowner, a family member of the landowner, or an employee of the landowner who is using a firearm, bow, or crossbow to shoot wild animals from a farm tractor or an implement of husbandry on the landowner's land that is located in an area designated by the Department of natural resources as a chronic wasting disease Eradication Zone.

1m. Subsection (3) (a) and (b) does not apply to a state employee or agent or a federal employee or agent hunting an animal in the wild as authorized under s. 29.307 (2).

2. This paragraph does not apply after June 30, 2004.

01 Wis. Act 108, s. 19

Section 19. Nonstatutory provisions.

(1) PLAN. If the Department of natural resources determines that there are insufficient funds available under section 20.370 (5) (fs) of the statutes, as created by this act, for the management of, and testing for, chronic wasting disease in cervids during fiscal year 2002-03, the Department may develop a plan, for submission to the joint committee on finance for review, detailing the means by which the Department shall manage, and test for, chronic wasting disease in cervids. If the Department develops a plan under this subsection, the Department shall recommend funding sources and expenditures for implementing the plan. In making these recommendations, the Department may not do any of the following:

(a) Recommend the expenditure of funds from the general fund.

(b) Recommend the expenditure of more than \$2,000,000.

(c) Recommend the expenditure of more than \$1,000,000 from moneys received under sections 29.181, 29.559 (1r), and 29.563 (13) of the statutes.

(2) JOINT COMMITTEE ON FINANCE REVIEW.

(a) If the cochairpersons of the joint committee on finance do not notify the Department of natural resources within 14 working days after the date of the submittal of the plan under subsection (1) that the committee has scheduled a meeting for the purpose of reviewing the plan, all of the following shall apply:

1. The Department shall implement the plan.
2. If the plan specifies the expenditure of funds from a segregated fund other than the conservation fund, the funds are transferred to the conservation fund.
3. The appropriation under section 20.370 (5) (fv) of the statutes, as created by this act, is supplemented from the appropriation under section 20.865 (4) (u) of the statutes by the amount specified under the plan.

(b) If, within 14 working days after the date of the submittal by the Department of natural resources, the cochairpersons of the joint committee on finance notify the Department that the committee has scheduled a meeting to review the plan, the Department may not implement the plan without approval of the committee. The committee may disapprove or modify the plan. If the committee modifies the plan, the committee may transfer funds to the conservation fund from another segregated fund as is necessary to implement the plan. Notwithstanding section 13.101 (3) (a) of the statutes, no finding is required to be made that an emergency exists before transferring the funds under this paragraph.

(3) **DEPARTMENT OF NATURAL RESOURCES POSITIONS.** The authorized FTE positions for the Department of natural resources are increased by 3.0 SEG project positions, to be funded from the appropriation under section 20.370 (5) (fs) of the statutes, as created by this act, for the purpose of managing and testing for chronic wasting disease.

(4) **EMERGENCY RULES RELATING TO CHRONIC WASTING DISEASE IN CERVIDS.**

(a) Notwithstanding section 227.24 (2) (a) of the statutes, the joint committee for review of administrative rules may extend the effective period of emergency rules promulgated by the Department of agriculture, trade and consumer protection relating to chronic wasting disease in cervids that took effect on April 9, 2002, for periods specified by the committee and may grant any number of extensions, except that the committee may not extend the effective period of the rules beyond September 1, 2003.

(b) The Department of agriculture, trade and consumer protection may amend the emergency rules described in paragraph (a), while those rules are in effect, using the procedure in section 227.24 of the statutes, and any amendment remains in effect for the period provided under paragraph (a).

(c) Notwithstanding section 227.24 (2) (a) of the statutes, the joint committee for review of administrative rules may extend the effective period of any emergency rules promulgated by the Department of natural resources that relate to the management of chronic wasting disease for periods specified by the committee and may grant any number of extensions, except that the committee may not extend the effective period of the rules beyond September 1, 2003.

(d) The Department of natural resources may amend the emergency rules described in paragraph (c), while those rules are in effect, using the procedure in section 227.24 of the statutes, and any amendment remains in effect for the period provided under paragraph (c).

(5) **VETERINARY DIAGNOSTIC LABORATORY.**

(a) The Department of natural resources shall expend, in fiscal year 2002-03, a total of \$901,600 from the appropriations under section 20.370 (5) (fs) and (fv) of the statutes, as created by this act, for the purpose of testing cervids for chronic wasting disease by the veterinary diagnostic laboratory.

(b) The authorized FTE positions for the board of regents of the University of Wisconsin System are increased by 6.0 PR positions, to be funded from the appropriation under section 20.285 (1) (kg) of the statutes, for the purpose of testing cervids for chronic wasting disease by the veterinary diagnostic laboratory.

01 Wis. Act 108, s. 20

Section 20. Appropriation changes.

(1) **VETERINARY DIAGNOSTIC LABORATORY LAPSE.** Notwithstanding section 20.001 (3) (c) of the statutes, on June 30, 2002, there is lapsed to the general fund \$800,700 from the appropriation account of the board of regents of the University of Wisconsin System under section 20.285 (1) (je) of the statutes, as affected by the acts of 2001.

## **Appendix B: Chronic Wasting Disease Rule Proposals (WM-05-03 and WM-09-3)**

### **ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD REPEALING, RENUMBERING, AMENDING, AND CREATING RULES**

The Wisconsin Natural Resources Board proposes an order to renumber NR 10.001(1m), (6m) and (23m); amend NR 10.01(3)(e)1. (intro.), 3.a., 6.(intro.) and 6.a., (em)1. and 3., (es)1., (ev), 10.06(8)(a), 10.07(1)(a), 10.09(1)(a)2. and (c)3. and (2)(intro.), 10.27 (1), and 12.10(3)(c); and to create NR 10.001 (1n), (6h), (6p), (6t), (11), (19e), (23m) and (24m), 10.01(3)(et) and (ez)4., 10.07 (3), 10.104(11), (12) and (13), 10.105(3) and (4), 10.106(2)(f), 10.27(10), 10.28(3), 10.41, 10.42, 12.06, and NR 45.09(9) relating to the control and management of chronic wasting disease.

WM-05-03

#### Analysis Prepared by Department of Natural Resources

Statutory Authority: § 29.014 , 29.033, 29.307, 29.335, 29.885, 227.11 and 227.24, Stats.

Statutes Interpreted: § 29.033, 29.177, 29.307, 29.335 and 29.361, Stats.

**Sections 1 and 2.** Defines an archery hunt as it relates to the special chronic wasting disease (CWD) control and management hunts.

**Section 3.** Defines CWD.

**Section 4 and 5.** Defines the CWD eradication zone.

**Section 6.** Defines the CWD intensive harvest zone.

**Section 7.** Defines the herd reduction zone.

**Section 8.** Defines adequate public notice and information as it relates to defining a new CWD eradication zone.

**Section 9 and 10.** Defines a section of land.

**Section 11.** Defines a shotgun hunt as it relates to the special CWD control and management hunts.

**Section 12 and 14.** Defines all of the metro deer management units as Zone “M” and eliminates deer management unit 76M from the list of metro units which have a standard deer season framework and harvest limits.

**Sections 13 and 29.** Eliminates Blue Mounds State Park from the list of parks with muzzleloader deer seasons.

**Section 15.** Updates exceptions to the regular deer archery season.

**Section 16.** Updates exceptions to the muzzleloader season.

**Section 17.** Creates the special disease control hunts for the gun and archery hunts in the deer management units, portions of deer management units and state parks that are included in the herd reduction and CWD intensive harvest zones.

**Sections 18 and 19.** Exempts units that are participating in the special CWD herd reduction hunts from the one-day youth antlerless deer hunt and the special herd control hunts.

**Section 20.** Modifies hunting hours for the CWD archery seasons.

**Section 21.** Authorizes the use of aircraft by the department to harvest, spot, rally and drive deer to help with the depopulation of deer within the eradication zone after all other control measures have been considered and also authorizes the use of buckshot from or with the aid of aircraft.

**Section 22.** Requires participants in the CWD herd reduction hunts to comply with blaze orange clothing requirements.

**Section 23.** Prohibits the possession of “buck shot” during the special CWD control hunts.

**Section 24.** Clarifies the prohibition of rifles in shotgun only areas during deer seasons and hunts.

**Section 25.** Allows hunting the day prior to the opening of a special gun deer hunt.

**Section 26.** Creates special CWD deer permits that authorize the harvesting of deer within the CWD management zones and creates a permit that will be issued to hunters to replace their carcass tag should they shoot a deer that appears to be diseased while hunting and defines the conditions for their use.

**Section 27.** Develops transportation and sampling guidelines for deer harvested within and outside of the CWD management zones.

**Section 28.** Develops registration guidelines for deer harvested within the CWD management zones.

**Section 30.** Establishes a deer season and weapon restrictions for Blue Mounds State Park.

**Section 31.** Creates a map that identifies the CWD herd reduction zone and the CWD intensive harvest zone.

**Section 32.** Creates a section regarding natural resources board guidance as it pertains to the management of chronic wasting disease by the department.

**Section 33.** Provides the department with the authority to utilize additional measures when necessary, within their legislative authority, to control the spread of CWD in the state.

**Section 34 and 35.** Identifies deer within the CWD eradication zone as causing a nuisances and authorizes the department to issue permits to landowners and their permittees to harvest deer during periods defined by the department throughout the year and defines the parameters of their issuance and guidelines for their use.

**Section 36.** Creates a free state park hunting access permit that is required to hunt in the state parks participating in the special CWD control hunts.

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**Section 1. NR 10.001(1m) is renumbered NR 10.001(1t).**

**Section 2. NR 10.001(1n) is created to read.**

NR 10.001(1n) "Archery hunt" means a hunting period for hunting deer with bow and arrow or crossbow as authorized by s. 29.171(2) and (2m), Stats., in the zones described in s. NR 10.28(3).

**Section 3. NR 10.001(6h) is created to read.**

NR 10.001(6h) “CWD” means chronic wasting disease.

**Section 4. NR 10.001(6m) is renumbered NR 10.001(6d)**

**Section 5. NR 10.001(6p) is created to read.**

NR 10.001(6p) The “CWD eradication zone” is the area established by the department where the depopulation of the wild deer herd is required to eradicate chronic wasting disease and consists of all sections of land contained within or intersected by a 4 ½ mile radius circle drawn from the center of the section of land found to have contained a deer or elk that has tested positive for chronic wasting disease.

**Section 6. NR 10.001(6t) is created to read.**

NR 10.001(6t) The “CWD intensive harvest zone” means a zone established in s. NR 10.28(3).

**Section 7. NR 10.001(11) is created to read.**

NR 10.001(11) The “herd reduction zone ” means a zone established in s. NR 10.28(3) excluding the CWD intensive harvest zone described in s. NR 10.28(3).

**Section 8. NR 10.001(19e) is created to read.**

NR 10.001(19e) “Notice and information to the public that is adequate” under s. 29.063, Stats., means a department press release to the local news media and the official state newspaper and may also include the following: public meetings, telephone contacts, internet postings, brochure distribution, first class mailings and meetings with landowners in the eradication zone.

**Section 9. NR 10.001(23m) is renumbered NR 10.001(23s)**

**Section 10. NR 10.001(23m) is created to read.**

NR 10.001(23m) "Section of land" means a numbered one square mile section of platted land within a township.

**Section 11. NR 10.001(24m) is created to read.**

NR 10.001(24m) "Shotgun hunt" means a hunting period for hunting deer with those firearms and ammunition defined in sub. (24).

**Section 12. NR 10.01(3)(e)1. (intro.) is amended to read.**

Kind of animal and locality	Open season (all dates inclusive)	Limit
1. Zone “A”		
All that part of the state not otherwise listed in season zones “B” through “F” “M” or in those zones described in s. NR 10.28(3).		

**Section 13. NR 10.01(3)(e)3.a., is amended to read.**

Kind of animal and locality	Open season (all dates inclusive)	Limit
3. Zone "C" – State Parks		
a. Governor Dodge (unit 70C), <del>Blue Mound (unit 70D)</del> , Perrot (unit 61A) and Peninsula (unit 80C) state parks.	Muzzle loading firearm season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for up to 9 consecutive days as indicated on the permit.	One deer as authorized by hunter's choice and antlerless deer permits issued under s. NR 10.104.

**Section 14. NR 10.01(3)(e)6. (intro.) and a. are amended to read.**

Kind of animal and locality	Open season (all dates inclusive)	Limit
6. <u>Zone "M"</u>		
a. Deer management units 59M, 60M, 64M, <del>76M</del> and 77M.	Shotgun season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 9 consecutive days.	One buck deer or as authorized by hunter's choice and antlerless deer permits issued under s. NR 10.104.
	Shotgun season beginning on the day immediately following the season described above and continuing through the second Sunday in December.	One antlerless deer per hunter's choice or antlerless deer permit issued under s. NR 10.104.

**Section 15. NR 10.01(3)(em)1. and 3. are amended to read.**

Kind of animal and locality	Open season (all dates inclusive)	Limit
(em) <i>Deer bow season</i>		
1. Statewide except as established under s. NR 10.01(3)(em)2., <del>and</del> 3. <u>and (et).</u>	Beginning on the Saturday nearest September 15 and continuing through the 2 <sup>nd</sup> -day <u>Thursday</u> immediately prior to the opening of the deer gun season described in par. (e).	One deer of either sex and one antlerless deer per hunter's choice and per bonus permit issued under s. NR 10.104.
	Reopening on the day immediately after the deer gun season described in par. (e) and continuing through January 3.	One deer of either sex and one antlerless deer per hunter's choice and per bonus permit issued under s. NR 10.104.
3. <del>M, M-1, M-2, M-3</del> Deer management units 1M, 59M, 60M, <del>64M, 76M</del> and 77M.	Beginning on the Saturday nearest September 15 and continuing through the Thursday immediately prior to the opening of the deer gun season and reopening on the Saturday immediately preceding the Thanksgiving holiday and continuing through January 31.	One deer of either sex and one antlerless deer per hunter's choice and bonus permit issued under s. NR 10.104.

**Section 16. NR 10.01(3)(es)1. is amended to read.**

Kind of animal and locality	Open season (all dates inclusive)	Limit
<i>(es) Muzzleloader deer season</i>		
1. Entire state, except for the areas described in subd. 2. and <u>par. (et).</u>	Beginning on the Monday immediately following the Thanksgiving holiday and continuing for 10 consecutive days.	One buck deer or as authorized by hunter's choice and antlerless deer permits issued under s. NR 10.104.

**Section 17. NR 10.01(3)(et) is created to read.**

Kind of animal and locality	Open season (all dates inclusive)	Limit
<i>(et) Special disease control hunts.</i>		
1.a. In the portions of deer management units included in the herd reduction zone established in s. NR 10.28(3) except as established in subdivision paragraph b. and excluding units listed in subdivision paragraph c.	Archery hunt beginning on the Saturday nearest September 15 and continuing through January 3rd.	One antlerless deer per archery deer carcass tag or antlerless permit. In addition, buck deer may be taken pursuant to s. NR 10.104(11). Hunter's choice and bonus antlerless deer permits issued under s. NR 10.104 are not valid in these zones.
	A firearm hunt beginning on the Thursday nearest October 27 and continuing for 4 consecutive days. Allowable types of firearms are those authorized on the first day of the regular gun deer season under s. NR 10.01(3)(e).	One antlerless deer per gun deer carcass tag or antlerless permit. In addition, buck deer may be taken pursuant to s. NR 10.104(11). Hunter's choice and bonus antlerless deer permits issued under s. NR 10.104 are not valid in these zones.
	A firearm hunt beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing through January 3 <sup>rd</sup> . Allowable types of guns are those authorized on the first day of the regular gun deer season under s. NR 10.01(3)(e).	One antlerless deer per gun deer carcass tag or antlerless permit. In addition, buck deer may be taken pursuant to s. NR 10.104(11). Hunter's choice and bonus antlerless deer permits issued under s. NR 10.104 are not valid in these zones.

Kind of animal and locality	Open season (all dates inclusive)	Limit
b. In the portions of deer management units included in the herd reduction zone established in s. NR 10.28(3) where the overwinter population of deer, determined by the department pursuant to s. NR 10.41(4)(b), is 15 or less deer per mi <sup>2</sup> of deer range.	Archery season beginning on the Saturday nearest September 15 and continuing through the Thursday immediately prior to the Thanksgiving holiday.	One deer of either sex and one antlerless deer per hunter's choice and per bonus permit issued under s. NR 10.104.
	Archery season reopening on the Monday following the Thanksgiving holiday and continuing through January 3.	One deer of either sex and one antlerless deer per hunter's choice and per bonus permit issued under s. NR 10.104.
	Firearm season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 9 consecutive days. Allowable types of firearms are those authorized on the first day of the regular gun deer season under s. NR 10.01(3)(e).	One buck deer or as authorized by hunter's choice and bonus antlerless deer permits issued under s. NR 10.104.
	Muzzleloader season beginning on the Monday immediately following the Thanksgiving holiday and continuing for 10 consecutive days.	One buck deer or as authorized by hunter's choice and bonus antlerless deer permits issued under s. NR 10.104.
c. State parks in the herd reduction zone established in s. NR 10.28(3), except those state parks that are located in units or portions of units subject to subdivision paragraph b., which will return to the seasons authorized under s. NR 10.27.	A firearm hunt beginning on the Thursday nearest October 27 and continuing for 4 consecutive days. Allowable types of firearms are those authorized on the first day of the regular gun deer season under s. NR 10.01(3)(e). Legal hunting hours are the same as those established in s. NR 10.06(5) except that hunting hours shall close at 12:00 p.m. daily.	One antlerless deer per gun deer carcass tag and one antlerless deer per archery deer carcass tag or antlerless permit issued under s. NR 10.104(11). In addition, buck deer may be taken pursuant to s. NR 10.104(11). Hunter's choice and antlerless deer permits issued under s. NR 10.104 are not valid in this zone.
	An archery and firearm hunt beginning on the Saturday prior to the Thanksgiving holiday and continuing through the 3 <sup>rd</sup> Sunday following the Thanksgiving holiday. Allowable types of guns are those authorized on the first day of the regular gun deer season under s. NR 10.01(3)(e).	One antlerless deer per gun deer carcass tag and one antlerless deer per archery deer carcass tag or antlerless permit issued under s. NR 10.104(11). In addition, buck deer may be taken pursuant to s. NR 10.104(11). Hunter's choice and antlerless deer permits issued under s. NR 10.104 are not valid in this zone.
d. If the department finds that it is unlikely that the deer population in the unit or portion of unit located within the herd reduction zone established in s. NR 10.28(3) will be reduced to within 20% of the overwinter population goal established in s. NR 10.41(4)(b) under the season described in subdivision paragraph b., the season framework established in subdivision paragraphs (ez)1.a. to c. will be implemented within that unit or portion of unit.		

Kind of animal and locality	Open season (all dates inclusive)	Limit
2. a. In the CWD intensive harvest zone as described in s. NR 10.28(3) except as established in subdivision paragraph b. and excluding units listed in subd. 3.	Archery hunt beginning on the Saturday nearest September 15 and continuing through January 31st.	One antlerless deer per archery deer carcass tag or antlerless permit issued under s. NR 10.104(11). In addition, buck deer may be taken pursuant to s. NR 10.104(11). Hunter's choice and antlerless deer permits issued under s. NR 10.104 are not valid in this zone.
	A firearm hunt beginning on the Thursday nearest October 27 and continuing through January 31.	One antlerless deer per gun deer carcass tag or antlerless permit issued under s. NR 10.104(11). In addition, buck deer may be taken pursuant to s. NR 10.104(11). Hunter's choice and antlerless deer permits issued under s. NR 10.104 are not valid in this zone.
b. In the CWD intensive harvest zone established in s. NR 10.28(3) where the overwinter population of deer, determined by the department pursuant to s. NR 10.41(4)(a), is 5 or less deer per mi <sup>2</sup> of deer range.	Archery hunt beginning on the Saturday nearest September 15 and continuing through January 3rd.	One deer of either sex per archery deer carcass tag, special antlerless permit issued under s. NR 10.01(3)(ez) or a permit issued under s. NR 10.104(13). Hunter's choice and antlerless deer permits issued under s. NR 10.104 are not valid in this zone.
	A firearm hunt beginning on the Thursday nearest October 27 and continuing through January 3rd.	One deer of either sex per gun deer carcass tag, special antlerless permit issued under s. NR 10.01(3)(ez) or a permit issued under s. NR 10.104(13). Hunter's choice and antlerless deer permits issued under s. NR 10.104 are not valid in this zone.

Kind of animal and locality	Open season (all dates inclusive)	Limit
3.a. State parks in the CWD intensive harvest zone established in s. NR 10.28(3), except as established in subdivision paragraph b.	An archery and firearm hunt beginning on the Thursday nearest October 27 and continuing for 4 consecutive days. Legal hunting hours are the same as those established in s. NR 10.06(5) except that hunting hours will close at 12:00 p.m. daily.	One antlerless deer per gun deer carcass tag and one antlerless deer per archery deer carcass tag or antlerless permit issued under s. NR 10.104(11). In addition, buck deer may be taken pursuant to s. NR 10.104(11). Hunter's choice and antlerless deer permits issued under s. NR 10.104 are not valid in this zone.
	An archery and firearm hunt beginning on the day immediately following the hunt described above and continuing through the 3 <sup>rd</sup> Sunday following the Thanksgiving holiday.	One antlerless deer per gun deer carcass tag and one antlerless deer per archery deer carcass tag or antlerless permit issued under s. NR 10.104(11). In addition, buck deer may be taken pursuant to s. NR 10.104(11). Hunter's choice and antlerless deer permits issued under s. NR 10.104 are not valid in this zone.
b. If the overwinter population of deer in the intensive harvest zone, determined by the department pursuant to s. NR 10.41(4)(a), is 5 or less deer per mi <sup>2</sup> of deer range.	An archery and firearm hunt beginning on the Thursday nearest October 27 and continuing for 4 consecutive days. Legal hunting hours are the same as those established in s. NR 10.06(5) except that hunting hours will close at 12:00 p.m. daily.	One deer of either sex per special antlerless permit issued under s. NR 10.01(3)(ez), a permit issued under s. NR 10.104(13), gun deer carcass tag or archery deer carcass tag. Hunter's choice and antlerless deer permits issued under s. NR 10.104 are not valid in this zone.
	An archery and firearm hunt beginning on the day immediately following the hunt described above and continuing through the 3 <sup>rd</sup> Sunday following the Thanksgiving holiday.	One deer of either sex per special antlerless permit issued under s. NR 10.01(3)(ez), a permit issued under s. NR 10.104(13), gun deer carcass tag or archery deer carcass tag. Hunter's choice and antlerless deer permits issued under s. NR 10.104 are not valid in this zone.

**Section 18. NR 10.01(3)(ev) is amended to read.**

Kind of animal and locality	Open season (all dates inclusive)	Limit
(ev) <i>Special youth antlerless deer hunt event.</i>		

Persons 12 years of age or older but under the age of 16 years of age who possess a certificate of accomplishment under s. 29.591, Stats., or its equivalent from another state or province, may hunt antlerless deer with a ~~gun~~ firearm on the Saturday of a herd control hunt defined under s. NR 10.01 (3) (ez) 1. a. in deer management units, except state park units and units not included in a deer herd control firearm hunt under s. NR 10.01 (3) (ez) or (et) on the same day. Allowable types of ~~guns~~ firearms are those authorized on the first day of the regular gun deer season under s. NR 10.01 (3) (e). The bag limit is one antlerless deer per hunter's choice or antlerless deer permit issued under s. NR 10.104. Youth who are first time graduates of the hunter education program may use their certificates of accomplishment in place of a hunter's choice permit issued under s. 29.177, Stats., to take an antlerless deer. Hunters shall be accompanied by an adult 18 years of age or older. One adult may not accompany more than 2 hunters and all other hunting regulations apply. Blaze orange requirements under s. 29.301 (2), Stats., apply to all hunters on this day except waterfowl hunters.

**Section 19. NR 10.01(3)(ez) 4. is created to read.**

Kind of animal and locality	Open season (all dates inclusive)	Limit
(ez) <i>Special deer herd control hunt.</i>		
4. Areas specified under this paragraph exclude areas described in par. (et)1.a. and 2.a. and b.		

**Section 20. NR 10.06(8)(a) is amended to read.**

NR 10.06(8)(a) *Bow bear and deer seasons.* Hunting hours established in sub. (5) shall apply to archers pursuing any species during the bow bear season established in s. NR 10.01(3) (g), ~~and during the bow deer season established in s. NR 10.01 (3) (em), and the archery hunts established in s. NR 10.01(3)(et)1., 2. and 3.~~

**Section 21. NR 10.07(1)(a) is amended to read.**

NR 10.07(1)(a) *Aircraft.* Hunt with the aid of an ~~airplane~~ aircraft, including the use of an ~~airplane~~ aircraft to spot, rally or drive wild animals for hunters on the ground, except as authorized by the department within the CWD eradication zone defined in s. NR 10.001(6p) when other alternatives to shooting and driving animals from aircraft have been considered and the department determines that the use of aircraft is necessary in order to control the spread of disease in animals as follows:

1. Deer may be shot from aircraft only between December 1 and the following April 15.
2. Aircraft may be used to spot, rally or drive deer for harvest or other control purposes as authorized by the department.
3. Deer may be harvested from an aircraft only on properties where the department has received landowner approval.
4. Deer driven with an aircraft may be harvested by ground shooters.

5. All ground shooters participating in control of deer with the aid of an aircraft shall wear blaze orange clothing as described in s. 29.310(2), Stats.

6. Notwithstanding s. NR 10.09(1)(a)2., any person authorized by the department to shoot deer from or with the aid of an aircraft pursuant to this paragraph, may use shotshells loaded with shot larger than no. BB to shoot deer.

**Section 22. NR 10.07(3) is created to read.**

NR 10.07(3) CWD BLAZE ORANGE REQUIREMENTS. The blaze orange requirements described in s. 29.301(2), Stats., apply to CWD deer herd reduction and eradication hunts under s. NR 10.01(3)(et).

**Section 23. NR 10.09(1)(a)2. is amended to read.**

NR 10.09(1)(a)2. 'Size.' Possess or have in control while hunting, shells containing shot larger than no. BB during the period commencing on June 1 and ending 48 hours following ~~gun~~ any deer season ~~or~~ hunt established in s. NR 10.01 (3) (e), (es), (et) or (ez), whichever season is later, except during the open season established in s. NR 10.01 (1) (b), (c), (d) and (g) when nontoxic shot size BBB and T may be used for hunting migratory game birds.

**Section 24. NR 10.09(1)(c)3. is amended to read.**

NR 10.09(1)(c)3. '*Possession.*' Possess ~~Except as provided in subdivision paragraph 4. , possess~~ any rifle larger than .22 rim-fire in areas wherein there is an open season or hunt specified in s. NR 10.01(3) for hunting deer with shotgun only unless ~~such~~ the rifle is unloaded and enclosed within a carrying case.

**Section 25. NR 10.09(2) (intro.) is amended to read.**

NR 10.09(2) SPECIAL ONE-DAY RESTRICTION. (intro.) During the 24-hour period prior to the opening date for hunting deer with guns, no person ~~shall~~ may possess a gun wherein there is an open season for deer with guns specified in s. NR 10.01(3)(e), unless the gun is unloaded and enclosed within a carrying case. Exceptions:

**Section 26. NR 10.104(11), (12) and (13) are created to read.**

NR 10.104(11) CHRONIC WASTING DISEASE SPECIAL PERMITS. In the CWD herd reduction and intensive harvest zones as described in s. NR 10.28(3), a valid gun or archery deer license and carcass tag or a special antlerless permit issued under s. NR 10.01(3)(ez), 12.06, 12.15 or 19.11 are all valid for tagging an antlerless deer or a buck deer pursuant to the procedure described in par. (a)3. In addition, the following carcass tags are valid for the taking and tagging of additional deer:

(a) *Special CWD earn-a-buck permits.* This special permit issued under s. 29.177, Stats., is valid for the taking of an antlerless deer in the units or portions of deer management units included in the CWD herd reduction and intensive harvest zones as described in s. NR 10.28(3). These special permits:

1. Will be issued free of charge at a rate of up to 4 permits per day per hunter.
2. Can be used during the hunts described in s. NR 10.01(3)(et)1.a., 2.a. and 3.a.
3. Can be used to tag a buck deer if:
  - a. An antlerless deer has been legally harvested and tagged prior to the harvest of the buck deer, and
  - b. The antlerless deer accompanies the buck deer until each is registered.
4. Are not valid if all the required information is not completed on the permit.

(b) *Special CWD buck deer permits.* A special CWD buck permit, issued under s. 29.177, Stats., is valid for the taking of a buck deer in units or portions of deer management units included in the CWD herd reduction and intensive harvest zones as described in s. NR 10.28(3). A buck deer permit may only be issued to an individual for each antlerless deer they register in the zone described in s. NR 10.28(3) that are not used for credit on a previous buck deer. No person may use or attempt to use an antlerless deer to receive more than one special CWD buck deer permit. A buck deer may be killed and tagged with a buck permit without it being accompanied by an antlerless deer. These permits are:

1. Valid during the hunts described in s. NR 10.01(3)(et)1.a., 2.a. and 3.a.
2. Valid only for the hunter who registers the antlerless deer to secure authorization for that hunter to tag one buck deer in the CWD herd reduction or intensive harvest zones.
3. Issued free of charge upon registering an antlerless deer in accordance with this subdivision.
4. Not valid if all the required information is not completed on the permit.

(12) SPECIAL DISEASED DEER REPLACEMENT PERMITS. The department may provide free replacement permits issued under s. 29.177, Stats., to hunters who harvest deer that are suspected of being diseased, provided that the entire deer is surrendered to the department or is disposed of as directed by the department. Each special permit shall be:

- (a) Issued by a department employee or a designated agent.
- (b) Issued to the hunter harvesting and tagging the suspect deer.
- (c) Issued for the type of deer authorized on the permit or license used to harvest and tag the suspect deer.

(13) SPECIAL CWD EITHER-SEX PERMITS. This special permit issued under s. 29.177, Stats., is valid for the taking of a deer of either-sex in the units or portions of deer management units included in the intensive harvest zone described in s. NR 10.28(3). These special permits:

- (a) Will be issued free of charge at a rate of up to 4 permits per day per hunter.
- (b) Are not valid if all the required information is not completed on the permit.

**Section 27. NR 10.105(3) and (4) are created to read.**

NR 10.105(3) CWD ZONE CARCASS TRANSPORTATION. In the CWD herd reduction and intensive harvest zones during the seasons established in s. NR 10.01(3)(et)1.a., 2.a. and 3.a., no person may:

- (a) Transport or possess a buck deer from the time it is killed to the time it is registered under s. NR 10.106(2)(e) unless tagged with a special CWD buck permit described in s. NR 10.104(11)(b) or accompanied by the antlerless deer that authorized the buck deer and each is tagged in the CWD herd reduction or intensive harvest zones and tagged with a special CWD earn-a-buck permit, gun or bow carcass tag, or other antlerless permit authorized in s. NR 10.104(11).

(4) DISEASE SAMPLING. Notwithstanding s. 29.347, Stats., any part of any animal harvested under s. NR 10.01(3) may be collected or sampled by the department for disease testing purposes prior to registration.

**Section 28. NR 10.106(2) (f) is created to read.**

NR 10.106(2)(f) *CWD intensive harvest and special herd reduction zones.* Any deer harvested in the CWD intensive harvest zone or special herd reduction zone shall be registered at registration stations designated by the department within the CWD zone in which it was killed no later than 5:00 p.m. on the day after it was killed, unless otherwise authorized by the department.

**Section 29. NR 10.27(1) is amended to read.**

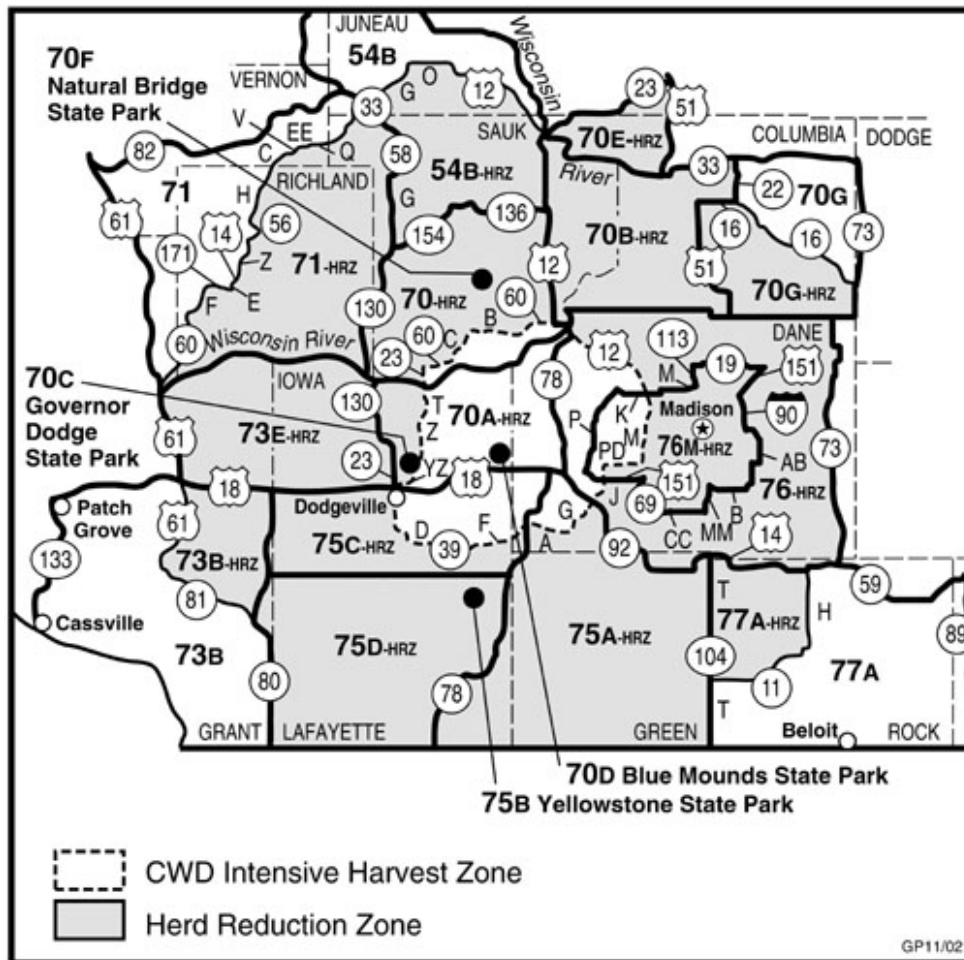
NR 10.27(1) MUZZLELOADER SEASON. Deer hunting by muzzleloader is allowed in ~~Blue Mound~~, Governor Dodge, Harrington Beach, Peninsula, Wildcat Mountain and Perrot state parks during the seasons specified in s. NR 10.01 (3) (e) 3.

**Section 30. NR 10.27(10) is created to read.**

NR 10.27 (10) FIREARM, EARLY AND LATE BOW SEASONS. Deer hunting by firearm is established in Blue Mounds state park during the seasons specified in s. NR 10.01(3)(et)1. and by bow and arrow for the seasons described in s. NR 10.01(3)(et)3.

**Section 31. NR 10.28(3) is created to read.**

NR 10.28(3) CWD HERD REDUCTION AND INTENSIVE HARVEST ZONES.



**Section 32. NR 10.41 is created to read.**

NR 10.41 **Wildlife disease management.** (1) **PURPOSE.** Pursuant to s. 29.063(1), Stats., the natural resources board establishes this section to provide guidelines for the department to manage chronic disease in wild cervids in this state.

(2) **STATE PARKS AND OTHER CLOSED AREAS.** State parks, refuges and closed areas identified in chs. NR 11, 15 and 45 may be opened to hunting by rule order to assist in the control of CWD.

(3) **CWD ERADICATION ZONE.** The department may establish an eradication zone, pursuant to the criteria established in s. NR 10.001(6p)

(a) *Overwinter goal.* The eradication zone shall have an overwinter deer population goal of 0 deer per mi<sup>2</sup> of deer range.

(b) *Population estimation.* The department shall annually calculate an estimate of the overwinter deer population for this zone with information obtained by surveys which may include registration data and aerial surveys.

(4) **CWD MANAGEMENT ZONES.** Under the authority of s. 227.24, Stats., the department may establish special CWD management zones through emergency rule around areas where CWD positive cervids have been identified.

(a) *CWD intensive harvest zone.* 1. Units or portions of units located within the boundaries of the CWD intensive harvest zone established in s. NR 10.28(3) will be managed at a goal of less than 10 deer per mi<sup>2</sup> of deer range.

2. This zone shall be identified by readily identifiable features of the landscape such as roads and rivers. When road boundaries are used, the department shall give priority to use of numbered and lettered highways, close to or near the eradication zone boundaries.

3. The department shall annually calculate an estimate of the overwinter deer population in this zone with information obtained by surveys which may include registration data and aerial surveys.

(b) Herd reduction zone. 1. Units or portions of units located within the boundaries of the herd reduction zone established in s. NR 10.28(3) will be managed at a goal of 10 deer per mi<sup>2</sup> of deer range.

2. This zone shall be identified by readily identifiable features of the landscape such as roads and rivers. When road boundaries are used, the department shall give priority to use of numbered and lettered highways.

3. The department shall annually calculate an estimate of the overwinter deer population for each deer management unit or portions of unit located within this zone with information obtained by surveys which may include registration data and aerial surveys. 4. The department may combine units or portions of units within the herd reduction zone into broad areas that have the same season framework under s. NR 10.01(3)(et)1.a., b. or d. to help simplify the deer hunts within the herd reduction zone.

### **Section 33. NR 10.42 is created to read.**

NR 10.42 **Official state duties.** Nothing in this chapter shall prohibit or hinder the department and its employees, duly authorized agents, or contractors from performing their official duties.

### **Section 34. NR 12.06 is created to read.**

NR 12.06 **CWD eradication zone deer removal permits.** (1) FINDINGS. Pursuant to s. 29.885(4), Stats., the natural resources board finds that deer within any CWD eradication zone cause a nuisance and that the shooting of deer with nuisance permits is necessary within any CWD eradication zone defined in s. NR 10.001(6p) in order to reduce the spread of disease within the CWD eradication zone and to reduce the risk of disease spreading outside any CWD eradication zone.

(2) PERMITS. Landowners, lessees, occupants or their duly authorized agents within the eradication zone may, under a department issued permit, remove deer from lands under their ownership or control in accordance with this section.

(a) Both antlerless and buck deer may be harvested unless otherwise restricted as a condition of the permit.

(3) PARTICIPATION BY OTHERS. Persons other than the permittee may assist as a participant in the removal of deer in accordance with this section on the land for which the permit is valid.

(a) *Number and selection of participants.* All participants shall be selected by the permittee and shall record their name, address, phone number and date of birth in a logbook provided by the department to the permittee.

(b) *Age and safety training.* All participants, including the permittee shall meet the requirements of ss. 29.304 and 29.593, Stats., pertaining to hunter safety and age.

(c) *Approval.* All participants shall possess written approval obtained from the permittee and the appropriate, valid hunting license unless exempted under sub. (4)(a) when carrying on removal activities. Written approval may include: name, address and phone number of landowner; name, address, phone number and DNR customer identification number, if applicable, of the person removing wild animals; property location and removal activities, authorized period of removal, signature of the permittee, or other form of approval authorized by the department.

(d) *No fees.* The permittee may not charge any form of fee to a participant.

(4) LICENSES, STAMPS AND PERMITS. (a) The permittee and participants are not required to possess the appropriate state hunting license or backtag for deer, unless otherwise required as a condition of the permit.

(b) Antlerless deer harvested under the authority of this section may be used to earn a CWD buck permit issued under s. NR 10.104(11) for the authority to harvest a buck deer during the seasons listed in s. NR 10.01(3)(et) within the CWD herd reduction and intensive harvest zones identified in s. NR 10.28(3).

(5) CARCASS DISPOSITION. Unless otherwise directed by the department, carcasses shall be disposed of in accordance with the procedures outlined on the permit issued by the department. Any part of any deer harvested under this section may be collected by the department for disease testing purposes.

(6) HARVEST PERIODS. Permits issued to landowners under this section are valid only for the periods specified by the department on the permit.

(7) SHOOTING HOURS. Permittees and participants shall comply with shooting hours described in s. NR 10.06 (5), unless exempted by the department.

(8) FIREARM USE. The following conditions shall apply to the use of firearms, bows or crossbows on deer shooting permits:

(a) Permittees and participants shall comply at all times when hunting with the blaze orange clothing regulations of s. 29.301 (2), Stats., unless exempted by the department. Exemptions may be granted where local ordinances prohibit the discharge of firearms and bow hunting or a trained sharpshooter during the closed deer gun season are the only methods available to remove deer.

(b) Except as provided under par. (c), and unless otherwise directed by the department, the weapons designated by the department on the permit shall be valid to harvest deer under the authority of the permit identified in sub. (2).

(c) In counties with deer shotgun seasons, a permittee and participants that have been authorized by the permittee may use a rifle that is not otherwise prohibited by s. NR 10.09(1)(c)2.

(9) REGISTRATION. Permittees and participants shall register deer taken under this section in accordance with the procedures designated by the department on the permit.

(10) VALIDATION. Any person who kills a deer or if s. 29.234, Stats., applies, the person providing the carcass tag shall immediately validate and attach the carcass tag as designated by the department.

(11) BAITING. The use of bait to attract or hunt deer for removal purposes by the permittee and participants is not allowed unless specifically authorized by the department and under the conditions specified in the permit.

**Section 35. NR 12.10(3)(c) is amended to read.**

NR 12.10(3)(c) ~~All~~ Except as authorized in s. NR 12.06 (3)(c), all participants and persons assisting participants shall possess written approval from the permittee and the appropriate, valid hunting or trapping license when carrying on removal activities. Written approval shall include: name, address and phone number of landowner; name, address and phone number of the person removing wild animals; property location and removal activities, authorized period of removal, species of animals authorized for removal, signature of the landowner or lessee, and date.

**Section 36. NR 45.09(9) is created to read.**

NR 45.09(9) CWD STATE PARK DEER HUNTING ACCESS PERMIT. (a) Unless authorized by the department, no person may hunt deer in accordance with the hunts described in s. NR 10.01(3)(et) without obtaining and possessing while hunting a free state park deer hunting permit and a property map identifying those areas closed to deer hunting within the park properties.

(b) The number of access permits issued will not be limited in number.

Note: Permits will be available at the state park office and other locations designated by the department.

SECTION 37. INITIAL APPLICABILITY. The state legislature has delegated to the department rule-making authority in 2001 Wisconsin Act 108 to control the spread of Chronic Wasting Disease (CWD) in Wisconsin. CWD poses a risk to the health of the state's deer herd and citizens and is a threat to the economic infrastructure of the department, the state, its citizens and businesses.

SECTION 38. EFFECTIVE DATE. The rules shall take effect on the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2)(intro.), Stats.

SECTION 39. BOARD ADOPTION. The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on \_\_\_\_\_.

Dated at Madison, Wisconsin \_\_\_\_\_

STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES

By \_\_\_\_\_  
Scott Hassett, Secretary

(SEAL)

**ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD  
REPEALING, AMENDING AND CREATING RULES**

The Wisconsin Natural Resources Board proposes an order to repeal NR 10.07(1)(g); amend NR 10.001(2) and (14); and to create NR 10.001 (7e), (23e), 10.07(2), 19.001(4) and (15m), and 19.60 relating to the regulation of baiting and feeding to control and manage chronic wasting disease.

WM-09-03

Analysis Prepared by Department of Natural Resources

Statutory Authority: § 29.014 , 29.033, 29.335, and 227.11, Stats.

Statutes Interpreted: § 29.033 and 29.335, Stats.

**Sections 1** Amends the definition of bait.

**Section 2.** Defines decoy.

**Section 3.** Amends the definition of liquid scent.

**Section 4.** Defines scent.

**Sections 5 and 6.** Prohibits the use of bait statewide for hunting and provides exceptions for landowners in the eradication zone and for bear hunting by imposing bait site, permit and date restrictions, and also allows the use of liquid scents for deer hunting.

**Section 7.** Defines bird feeding devices and structures.

**Section 8.** Defines small mammals.

**Section 9.** Prohibits feeding of wildlife and outlines exceptions for birds and small mammals.

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**Section 1. NR 10.001(2) is amended to read.**

NR 10.001(2) For the purposes of this chapter, "bait" means ~~honey and any solid or nonliquid~~ any material attractive used to attract wildlife including liquid scent.

**Section 2. NR 10.001(7e) is created to read.**

NR 10.001(7e) "Decoy" means the replica of an animal used to attract wild animals for the purpose of hunting, but may not include any food materials that can be consumed by any wild animal.

**Section 3. NR 10.001(14) is amended to read.**

NR 10.001(14) "Liquid scent" means any ~~nonsolid~~ liquid material except honey, used to attract wild animals solely by its odor.

**Section 4. NR 10.001(23e) is created to read.**

NR 10.001(23e) "Scent" means any material except honey, used to attract wild animals solely by its odor.

**Section 5. NR 10.07(1)(g) is repealed.**

**Section 6. NR 10.07(2) is created to read.**

NR 10.07(2) BAITING. (a) *General prohibition.* Except as provided in par. (b) or as authorized by a permit issued under s. NR 12.06(11), no person may hunt with the aid of bait, place or use bait for the purpose of hunting wild animals or training dogs.

(b) *Exceptions.* 1. Bait may be placed in compliance with par. (c) between April 15 and the close of the bear season, for hunting bear or training bear dogs during the open season's for these activities, provided when the bait is placed and when the bait site is checked or re-baited, that the bait is totally enclosed in a hollow log, a hole in the ground or stump which is capped with logs, rocks or other naturally occurring and unprocessed substances which prevents deer from accessing the material.

2. Liquid scent used for hunting of bear or training bear dogs from April 15 to the end of bear season does not need to be enclosed in a hollow log, a hole in the ground or stump.

3. This subsection does not prohibit hunting with the aid of material deposited by natural vegetation or material found solely as a result of normal agricultural or gardening practices.

4. Baiting for purposes of trapping is regulated by ss. NR 10.13(1)(b), 19.27, 19.275 and this section.

5. Baiting for waterfowl is regulated by s. NR 10.12(1)(h) and not this section.

6. This subsection does not prohibit hunting over crops planted and left standing as wildlife food plots.

7. Scent may be used for hunting deer or elk provided the scent is not placed or deposited in a manner that it is accessible for consumption by deer or elk and non-liquid scents shall be removed daily at the end of hunting hours for deer established in s. NR 10.06(5). Two ounces or less of liquid scent may be placed or deposited in any manner for hunting game animals.

8. This subsection does not prohibit hunting in accordance with s. 29.337, Stats., with the aid of feed material placed in compliance with s. NR 19.60.

9. This subsection does not prohibit hunting with the use of decoys except as already prohibited under ss. NR 10.12(1)(f) and (g) and 10.25(4)(d).

(c) *Additional prohibitions for bear hunting and bear dog training.* No person may:

1. Place, use or hunt with the aid of bait material, in excess of 10 gallons for attracting wild animals or containing honey, bones, fish, meat, solid animal fat or parts of animal carcasses.

2. Except as allowed by par. (b) 1. and 6., place, use or hunt with the aid of bait material, other than scent, which is contained within or containing metal, paper, plastic, glass, wood or other similar processed materials.

3. Place, use or hunt with the aid of bait material, within 50 yards of any trail, road or a campsite used by the public.

4. Hunt with the aid of bait material, other than scent, without possessing a valid unused bear harvest permit.

5. Hunt or pursue animals in an area baited in violation of this subsection or in violation of the feeding prohibitions of s. NR 19.60, unless the area is completely free of bait or feed material for at least 10 consecutive days prior to hunting, pursuing animals or dog training.

Note: Removal of unlawfully placed bait or other feeding material does not preclude the issuance of a citation for the original placement of the unlawful baiting or feeding material.

**Section 7. NR 19.001(4) is created to read.**

NR 19.001(4) “Bird feeding devices and structures” means any device or structure that has the primary purpose of attracting or feeding birds or small mammals.

**Section 8. NR 19.001(15m) is created to read.**

NR 19.001(15m) “Small mammals” mean all mammals other than bear, deer and elk.

**Section 9. NR 19.60 is created to read.**

NR 19.60 **Feeding of wild animals.** (1) PROHIBITIONS. (a) Except as provided in this section or by permit issued under s. NR 12.06(11), no person may place, deposit or allow the placement of any material to feed or attract wild animals.

(b) Any person placing material or feed to attract wild animals in violation of this section shall remove all food or other material illegally placed or deposited when ordered by the department to do so.

(c) Landowners, lessees or occupants of any property where feeding in violation of this section occurs shall remove all food or other material illegally placed or deposited upon notification by the department of the illegal activity.

Note: Elevated feeders that are designed to deposit food on the ground are prohibited.

(2) EXCEPTIONS. This paragraph does not prohibit:

(a) Material placed solely for the purpose of attracting and feeding wild birds and small mammals when placed in bird feeding devices and structures at a sufficient height or design to prevent access by deer and only when the structures and devices are no further than 50 yards from a dwelling devoted to human occupancy. If the department determines that wild deer are utilizing bird feeding devices or structures, the devices or structures shall be enclosed or elevated higher to prevent access by deer.

(b) Feeding of wild animals, other than deer, elk or bear, by hand is allowed if:

1. Feed is placed not more than 30 feet away from the person feeding.
2. The person feeding makes all reasonable attempts to clean up the unconsumed food before moving a distance greater than 30 feet from the deposited food.

(c) Food deposited by natural vegetation or found solely as a result of normal agricultural or gardening practices.

(d) Standing crops planted and left standing as wildlife food plots that may be used by wild animals.

(e) Food material placed for bear hunting or bear dog training as specified in s. NR 10.07(2).

(f) Food material placed for trapping as specified in s. NR 10.13.

(g) The use of decoys for non-hunting purposes.

(h) The placement of plain water for drinking or for bird baths.

(i) The use of scents provided the material is not accessible for consumption by deer or elk.

(j) Food or bait material placed or used for fish, reptiles, amphibians or arthropods provided the material is not accessible to bear, deer or elk.

Note: These feeding rules do not apply to captive wild animals held and licensed under ch. 169, Stats.

SECTION 10. INITIAL APPLICABILITY. The state legislature has delegated to the department rule-making authority in 2001 Wisconsin Act 108 to control the spread of Chronic Wasting Disease (CWD) in Wisconsin. CWD poses a risk to the health of the state’s deer herd and citizens and is a threat to the economic infrastructure of the department, the state, it’s citizens and businesses.

SECTION 11. EFFECTIVE DATE. The rules shall take effect on the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2)(intro.), Stats.

SECTION 12. BOARD ADOPTION. The foregoing rules were approved and adopted by the State of Wisconsin Natural Resources Board on \_\_\_\_\_.

Dated at Madison, Wisconsin \_\_\_\_\_

STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES

By \_\_\_\_\_

Scott Hassett, Secretary

(SEAL)

## **Appendix C: Carcass Disposal Options and Activities During the 2002 CWD Management Efforts.**

Deer carcasses or their butchered remains have been disposed of in Wisconsin since deer were first hunted. Since the advent of environmental regulations in the 1970's, the most common disposal methods have been landfills (both municipal waste landfills and deer disposal pits), rendering plants, and decomposition in the natural environment. Because the hunter ethic in Wisconsin stresses using the meat of animals that are taken during a hunt, the most common forms of material requiring disposal are butcher waste (head, bones, internal organs, hide) and car killed deer. Butcher waste has traditionally gone to rendering plants or is sent to the local landfill along with other trash (internal organs or "gut piles" have traditionally been removed from the deer in the field and left for scavengers). Car killed deer have traditionally been picked up by DNR contractors and taken to rendering plants or to local landfills. Although deer disposal pits were widely used in the 1970s and 1980s, their use is extremely limited today.

After CWD positive test results were received in February of 2002 for three deer in the Mt. Horeb area (Deer Management Unit 70A), the Department organized a hunt in an area immediately surrounding (within a 12 mile radius) the location of the CWD infected animals to determine the degree and extent of the disease. Over 500 animals were shot and collected for sampling purposes. Prior to the beginning of this hunt, arrangements had been made with Dane County and Sauk County for disposal of the carcasses in their landfills. For logistical reasons, only the Dane County landfill was ultimately used.

Subsequent to the disposal of these carcasses in the landfill and receiving test results showing that an additional 15 deer tested positive, questions were raised regarding the safety of landfills for containing the disease. Specifically, landfills are dependent upon wastewater treatment plants accepting the landfill's leachate (contaminated liquids collected at the base of the landfill). Treatment plants are in turn dependent on farmers accepting the sludge (or bio-solids) from the treatment plant for use as a fertilizer on their fields. The question was raised whether the prion could conceivably travel with the leachate to the leachate collection system, go through the wastewater treatment process and be spread on fields with the bio-solids.

The DNR, in conjunction with representatives of the Wisconsin Department of Health and Family Services, the Wisconsin Veterinary Diagnostic Lab, and the Department of Agriculture, Trade and Consumer Protection, reviewed the available information and concluded that landfills provided reasonable containment of the prion. A detailed risk assessment was prepared. The risk assessment concluded "that landfilling of CWD-infected deer does not pose a significant risk to human health" and "the risk of spreading CWD among Wisconsin's deer population by landfill disposal of infected carcasses is quite small".

Although technical staff for both landfills and wastewater treatment plants generally agreed with the DNR's conclusion on the safety of landfilling the deer, there remained a fear of the public perception that landfilling presented a risk to both human health and the spread of the disease to other deer. Treatment plant operators were fearful that farmers would not accept their bio-solids, leaving them with a disposal problem. Landfill operators in turn were fearful that the treatment plants would no longer accept their leachate, leaving them with the choice of closing down or establishing their own treatment systems at an extremely high cost. Based on this fear, landfill operators were unwilling to accept deer carcasses from the 2002 summer hunts. Based on experience gained in 2002, CWD management of carcasses was designed to address both the actual risks associated with disposal of CWD-positive tissues and additional perceived risks on the part of stakeholders.

The DNR then contracted with an existing animal crematorium to incinerate the deer at temperatures sufficiently high to result in the destruction of any prions that might be present. However, due to the low throughput at the crematorium and the relatively high cost of cremation, the DNR established a Carcass Disposal Team to explore the availability of safe and environmentally acceptable alternatives.

The Carcass Disposal Team was composed of scientists, engineers and health professionals from a number of State agencies, representing expertise in a wide variety of disciplines related to disease control and disposal issues. The team reviewed and rejected consideration of uncontrolled burial (deer pits) and uncontrolled burning (pyres) as environmentally and socially unacceptable, and ineffective at providing containment or destruction of the disease causing agent (prion). The team identified four viable alternatives for environmentally sound disposal

of the carcasses. These are 1) landfilling in a site which meets modern sanitary landfill standards such as engineered liners, caps and leachate and gas collection systems; 2) rendering plants with disposal of the final products (oil and meal); 3) incineration in a controlled system at temperatures sufficiently high to destroy the prion; and 4) tissue digestion with a strong base such as sodium hydroxide (lye). There are a number of sub-options within each category.

### **Landfilling.**

In general, landfilling is the most cost effective of the four major alternatives for disposing of deer suspected of having CWD. It also has the advantages of being able to handle large numbers of animals, and the infrastructure for transportation and disposal is already well understood and in-place. One disadvantage to landfilling is that although it is very effective at containing the prions, this method of disposal does not immediately destroy the prion. It is expected that the prions in the landfill will degrade over time, but it is not known how long it would take to completely inactivate all prions. The major disadvantage of this option is the public perception that the prions will escape from the landfill and cause the spread of the disease to humans and deer.

There are three different approaches to landfilling. The first is to use an existing modern sanitary landfill. This alternative is the simplest and least expensive to implement. However, as noted above, there is a perception that prions could escape the landfill through the leachate extraction and treatment systems. Therefore, existing landfills have been reluctant to accept deer from the Intensive Harvest Zone. The second method is to use an existing sanitary landfill but restrict the area used for deer disposal so that any leachate collected from this area can be handled separately. This reduces the concern that prions could escape through the leachate extraction and wastewater treatment system. However, it increases the cost and introduces a number of operational concerns that could be counter productive to the containment of the prions. The third method is to build a landfill dedicated to deer carcasses. Unlike a deer disposal pit, this landfill would be fully engineered with all the environmental safeguards required of modern sanitary landfills (liner, leachate collection system, etc.). The extracted leachate would be low in volume and could be solidified on-site and reintroduced into the landfill, creating a closed loop system. This alternative could be designed for the number of carcasses expected and expanded as future needs dictate.

### **Rendering.**

Rendering is a process in which animal tissues are cooked at specific temperatures for set time periods. The final products of rendering are water, tallow (fats portion) and meat & bone meal (protein portion). Generally when deer and deer tissues are rendered a ratio of four parts of other animal material to one part deer tissue is required. For the type of rendering conditions found in Wisconsin it is estimated that a 10 to 100 fold reduction of infectivity might be achieved. Studies of scrapie and BSE have demonstrated that both of these TSE agents can, to some degree, survive a variety of rendering processes. Because the tallow and bone meal could contain prions, they would need to be disposed of rather than marketed in animal feed or as a fertilizer. No studies have examined the water portion, however based on current knowledge about prions, it could be expected that prions might be found in the water portion if there was protein to which they could "stick". Filtering solids from the wastewater prior to discharge to a wastewater treatment plant would greatly reduce the potential for prions to escape the process.

## **Incineration and Heat Inactivation.**

Incineration is a proven technology for disposing of TSE-infected animal carcasses. It has been used in North America as well as in Europe. The scientific studies examining the temperatures at which incineration eliminates infectivity are, unfortunately, highly variable. Two studies demonstrate this point. Taylor *et al.* (1996) using the ME7 strain (mouse adapted scrapie) brain macerates found that infectivity could not be recovered after one hour at 200° C.

In contrast, Brown *et al.* (2000) using brain tissues from hamsters inoculated with the 263K strain of scrapie (a very high titer, resistant strain) found that exposure to 1000° C (dry heat) was necessary to eliminate transmissions. For direct incineration of carcasses the European Union recommends a temperature of 850° C or above for at least two seconds.

There are two sub-options for incinerating carcasses. The first is to use a controlled furnace which is equipped with a primary and secondary combustion chamber. This includes pathological incinerators and animal crematories. These units are generally expensive and have a limited throughput (making it difficult to handle large numbers of animals), but are able to effectively meet the temperature criteria listed above. The second method is to use an “air curtain destructor”. This is a combustion unit consisting of an open topped pit or combustion box with a fan mounted along the length of the box. The unit is fueled with wood and the fan serves to provide oxygen as well as provide a curtain of air over the open top of the box to prevent the escape of smoke and unburned particulates. This method has been used in a number of other states for burning CWD carcasses as well as animals with other diseases. The drawback to this method is that it is extremely difficult to operate reliably since wind, rain and loading operations will disrupt the curtain and allow smoke to escape. It is also very difficult to maintain consistently high temperatures throughout the combustion box, and there is no secondary chamber to burn organics escaping with the flue gas.

## **Tissue Digester.**

Although commonly called a digester this method of carcass disposal is based on alkaline hydrolysis. The basis of this technology is the use of sodium or potassium hydroxide solutions under pressure and at elevated temperatures (~150° C) to hydrolyze proteins into peptides and amino acids. As TSEs are caused by a protein, the prion protein, this technology is ideally suited for inactivation and disposal of infected animals and tissues derived from them. USDA APHIS and Health Canada have purchased units for use in inactivation of prion-contaminated biological materials. USDA used the unit to destroy the “Vermont sheep” (sheep imported from Belgium infected with a TSE of unknown foreign origin), but is holding the output until the results of a UK government sponsored study become available. Another unit has been purchased by Colorado State University for use at the veterinary diagnostic laboratory.

The limitations of this technology are its relatively high cost and limited through put. In addition, the digested material is extremely high in BOD and requires dilution when introduced to a wastewater treatment plant. The digester’s best attribute is that it is a proven destroyer of prions.

## **Current Activities.**

The DNR’s first choice for disposal of deer was at existing landfills, based on their low risk of spreading the disease and their low relative cost. However, because none of the existing landfills were willing to accept deer from the intensive harvest zone, the crematorium continues to be used. This is a safe, but relatively more expensive option. Existing landfills are willing to accept carcasses that test negative for CWD, so storage until the test results are available will allow the DNR to utilize its primary choice of alternatives for the majority of the carcasses. Existing landfills will be utilized for all areas outside of the intensive harvest zone.

**Intensive Harvest Zone.** All deer killed (both hunter kills and car killed deer) in the intensive harvest zone during the summer of 2002 were collected by DNR at the three registration stations within the zone and transported to the Midwest Crematorium Services, Inc facility for incineration. Because this facility does not have adequate throughput to handle the number of deer expected during the fall hunt, the DNR contracted with Wiebke Fur Co. of LaCrosse to transport and cold store the carcasses. The hides will be removed for tanning and the carcasses will be tagged, wrapped in plastic, flash frozen and stored until test results from the sampling program are received. Those deer that test positive for CWD will be sent to the crematorium and those that test negative will be sent to an existing sanitary landfill for disposal. Car killed deer, deer heads from the sampling program and butcher waste will continue to be sent directly to the crematorium.

**Management Zone.** DNR will establish a number of collection sites (approximately one per county) within the zone for hunters to drop off unwanted carcasses and butcher waste. All carcasses collected within the management zone (car killed deer, carcasses from hunters who choose not to keep their deer, butcher waste, and deer heads from sampling by DNR) will be contracted for transport and disposal at a sanitary landfill. Carcasses may also be disposed of by individuals at landfills or on their own property.

**Remainder of the State.** DNR will not be collecting any carcasses outside the two zones except for car killed deer and deer heads from the sampling program. These will be disposed of through contracts at sanitary landfills. Individuals will dispose of their butcher waste either through a local waste hauler to a sanitary landfill or on their own property. Meat processing facilities which previously sent their scraps to a rendering facility (the rendering companies in Wisconsin have not been willing to accept deer since CWD was discovered) will likely switch to a sanitary landfill.

### **Proposed Future Activities.**

The DNR proposes a three pronged approach to carcass disposal after the end of the winter hunting season (January 31, 2003).

- All visibly sick deer will be disposed of by incineration in a unit with a primary and secondary combustion chamber capable of maintaining temperature and flue gas retention time sufficient to destroy any prions which may be present in the deer. Although the risk assessment for landfiling prepared by DNR and DHFS predicted a very low risk for landfiling carcasses with CWD, the carcasses of animals in the later stages of the disease will have the greatest prion loading and their removal to an incinerator will significantly reduce the already low risk of landfiling carcasses.
- The primary disposal option for deer that do not exhibit visible signs of the disease will be at existing sanitary landfills. Landfiling the deer is a very low risk and is the least expensive and simplest alternative. Operational guidelines (immediate covering, placement that maximizes the travel distance to the leachate collection system) can be established to further reduce any risk associated with landfiling.
- A number of locations around state should be established for dedicated animal carcass disposal purposes. The sites would be designed and the siting process completed, but not constructed until the sites were needed. These sites would provide a back up option in those cases (as occurred with the initial CWD outbreak) where existing landfill operators are unwilling to accept the carcasses. The sites would also provide a means of addressing other emergency animal disease situations such as foot and mouth disease, where swift action is necessary once the disease is identified.

### **Risks.**

The risks of using existing landfills and incinerators for the disposal of carcasses would be very limited. These disposal methods have been used for many years for general animal carcass disposal and will continue to be used for the foreseeable future. No adverse impacts have been identified. The fact of now having carcasses that may be infected with CWD does not significantly change the situation. The risk assessment performed by DNR and DHFS concluded that landfiling of CWD-infected deer does not pose a significant risk to human health and that the risk of spreading CWD among Wisconsin's deer population by landfill disposal of infected carcasses is

quite small. The greatest impact of using existing landfills is the public perception that they may not adequately contain the disease causing agent. A public education and outreach effort is the best method of correcting this misperception.

The effects of establishing dedicated animal carcass landfills for emergency disposal purposes will have a somewhat greater impact for those who are in the direct vicinity of their location. However, these dedicated landfills would be required to follow the landfill siting process that provides for significant public input and technical review. From a statewide perspective, these sites would be expected to be few in number and extremely small in size compared to existing sanitary landfills, and would not be constructed unless necessary to address a disease outbreak. The positive effect of preparing ahead for a disease outbreak is that it will allow an environmentally safe alternative to be implemented quickly, in situations where time is critical.

#### **Literature Cited.**

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- TAYLOR, D. M., I. MCCONNELL, and K. FERNIE. 1996. The effect of dry heat on the ME7 strain of mouse-passaged scrapie agent. *Journal of General Virology* 77:3161-3164.

# Chronic Wasting Disease Management Questionnaire

3097 Total Responses Entered

Chronic Wasting Disease (CWD) is an infectious disease that was recently discovered in western Dane County and eastern Iowa County. It threatens deer and deer hunting in Wisconsin. Hunters will be asked to play a major role in controlling this disease. Special hunting regulations in the CWD management area will be brought to the public for input at various meetings. The Natural Resources Board will be asked to adopt an emergency rule on CWD hunting regulations at their June meeting. Your feedback on this form will be helpful to the DNR and Natural Resources Board as they make tough decisions about controlling CWD. **Return this questionnaire at the meeting you are attending, or send it to: Bill Vander Zouwen, WM/4, Box 7921, Madison, WI 53707.** (See map of CWD Core/Surveillance Area and CWD Management Zone to answer this questionnaire)

1. **Survey Source:** Please check where you obtained this questionnaire (CHECK ONE):

558 Mount Horeb meeting	961 Waukesha meeting
144 EauClaire meeting	385 DNR website: <a href="http://www.dnr.state.wi.us/org/land/wildlife/whealth/issues/CWD/">www.dnr.state.wi.us/org/land/wildlife/whealth/issues/CWD/</a>
206 Rhinelander meeting	501 Other _____
342 Green Bay meeting	

2. **CWD Management Philosophy:**

- (a) Do you consider CWD a serious threat to deer and deer hunting in Wisconsin?

2890 Yes 140 No 48 No opinion 19 No Response

- (b) Do you believe that CWD must be managed aggressively?

2758 Yes 184 No 100 No opinion 55 No Response

3. **CWD Core Area and Management Zone Deer Herd Reduction Strategy:**

- (a) **Core Area (see map):** To reduce transmission and spread of CWD, do you believe it is reasonable to try to quickly reduce the deer herd by at least 90% near locations where CWD-positive deer were found?

2518 Yes 369 No 146 No opinion 64 No Response

- (b) **Management Zone:** To reduce the chance of spread of CWD to other areas of the state, do you believe that it is reasonable to try to quickly reduce the deer herd 50% below current levels in deer management units within 30-40 miles of the CWD-positive deer (it is not uncommon for young bucks to disperse 10 miles or more in a year)? (Note: this larger buffer zone would be called the CWD Management Zone and is proposed to include deer management units 54B, 70, 70A, 70B, 70G, 71, 73E, 75A, 75C, 75D, 76, 76M, and 77A)

2263 Yes 494 No 260 No opinion 80 No Response

4. **Baiting and Feeding Restrictions:**

- (a) Do you believe that baiting for hunting purposes should be banned in the CWD Management Zone to try to reduce contacts among deer and spread of CWD?

2577 Yes 375 No 123 No opinion 22 No Response

- (b) Do you believe that deer feeding should be banned in the CWD Management Zone to try to reduce contacts among deer and spread of CWD?

2647 Yes 295 No 117 No opinion 38 No Response

5. **Carcass Disposal:**

- (a) Do you believe there should be a rule requiring all unused parts of deer (excluding guts) killed in the CWD Management Zone to be land-filled or rendered?

2265 Yes 397 No 359 No opinion 76 No Response

- (b) Do you believe there should be a rule requiring that only antlers, hides, and venison could be removed from the CWD Management Zone?

1973 Yes 611 No 427 No opinion 86 No Response

6. **Gun Hunting Season Length:** To maximize hunter opportunities to shoot deer, do you think there should be a long gun deer hunting season such as the proposed October 24 to January 31 in the CWD Management Zone (note: archery equipment and muzzleloaders could be used during this period; blaze orange would be required for all hunters except waterfowlers)?

2301 Yes 594 No 165 No opinion 37 No Response

7. **Firearm Restrictions:** Do you think hunters should be able to use rifles anywhere within the CWD Management Zone to maximize deer shooting opportunities?  
1752 Yes 1046 No 278 No opinion 21 No Response
8. **Landowner Shooting Permits:** Do you think that DNR should issue permits to landowners, similar to the agricultural damage shooting permits, allowing landowners and hunters who have their permission to shoot deer year round in the core area?  
2553 Yes 386 No 113 No opinion 45 No Response
9. **Permit System:** Which of the following do you support for encouraging hunters to shoot more deer than normal in the CWD Management Zone?
- (a) Unlimited either-sex deer permits  
2001 Yes 524 No 162 No opinion 410 No Response
  - (b) Either sex 1<sup>st</sup> tag plus unlimited antlerless only tags and additional buck tags for each antlerless deer shot by a hunter?  
1055 Yes 681 No 289 No opinion 1072 No Response
  - (c) Unlimited antlerless deer tags and hunter can earn a buck tag for each antlerless deer shot  
981 Yes 800 No 279 No opinion 1037 No Response
  - (d) Unlimited antlerless deer tags and hunter can earn buck tags by shooting multiple antlerless deer  
959 Yes 811 No 286 No opinion 1041 No Response
10. **Recreation Conflict Resolution:** Do you believe that DNR's policy on conflicts between deer hunting and other types of recreation in the CWD Management Zone should be to resolve these conflicts in favor of deer herd control for disease management?  
2453 Yes 301 No 232 No opinion 111 No Response
11. **What unit have you done most of your deer hunting in recently?** Unit \_\_\_\_\_  
(skip this question if you don't hunt deer in Wisconsin)
12. **Do you own 10 acres or more of land in the:**
- (a) Core Area (near CWD positive-deer locations) 201 Yes 2735 No 161 No Response
  - (b) 13 deer management unit CWD Management Zone 404 Yes 2492 No 201 No Response
13. **Your intentions for the 2002 Hunting Season:**
- (a) If you are a hunter who normally hunts near (within 10 miles) the CWD positive deer locations (see map), will you help control CWD by trying to shoot more deer than usual in this area?  
573 Yes 133 No 222 Not sure yet 2072 Not applicable to me 97 No Response
  - (b) If you are a hunter who normally hunts in the larger proposed CWD Management Zone, but outside the Core Area, will you help control the spread of CWD by trying to shoot more deer than usual in this Zone?  
770 Yes 144 No 337 Not sure yet 1685 Not applicable to me 161 No Response
14. **Testing for CWD in hunter-killed deer:**
- (a) Testing capability is expected to be limited compared to demand due to limited lab capacity, limited numbers of qualified pathologists, and limited funds. Actual test cost may exceed \$100.00 per deer, but some of the costs may be subsidized. Would you be willing to pay a lab fee to have your deer tested?  
1261 Yes 632 No 753 Not sure yet 370 Not applicable to me 81 No Response
  - (b) What is the most you would pay to have a deer tested? Average~ \$30
15. **Control Measures Beyond Hunting:**
- (a) Hunting alone is not expected to reduce the Core Area population low enough to stop the spread of CWD. To help control the spread of CWD, do you support using control measures beyond hunting seasons and permits to reduce the herd in the Core Area (for example, DNR or USDA sharpshooters with permission of landowners)?  
2497 Yes 350 No 189 No opinion 61 No Response

- (b) Do you support efforts to control deer numbers as soon as possible and prior to the hunting season in the Core Area (for example, landowner permits and DNR/USDA sharpshooters)?

2535 Yes 349 No 152 No opinion 61 No Response

